

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 4:16 CR 95 CDP
)
GEORGE FREDERICK)
MUSSMANN, III,)
)
Defendant.)

ORDER

This matter is before the Court on defendant George Frederick Mussmann, III's Motion to Suppress Evidence and Statements [24] and counsel's oral supplement made at the May 20, 2016 evidentiary hearing.

Pursuant to 28 U.S.C. § 636(b), the motion was referred to United States Magistrate Judge John M. Bodenhausen. Judge Bodenhausen held an evidentiary hearing on the motions on May 20, 2016, and thereafter the parties filed post-hearing briefs. He issued a Report and Recommendation recommending that the motions be denied. Defendant has filed objections to the Report and Recommendation.

After conducting a *de novo* review of the motion, including reading the briefs and transcript and examining the exhibits from the hearing, I will adopt and sustain the thorough reasoning of Magistrate Judge Bodenhausen as set forth in support of his recommended rulings issued on August 4, 2016. As Judge

Bodenhausen found, the search did not exceed the scope of the warrant and was reasonable under the constitution. Additionally, all statements made were made knowingly and voluntarily. None of the evidence should be suppressed.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [36] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that defendant George Frederick Mussmann, III's Motion to Suppress Evidence and Statements [24] and counsel's oral supplement made at the May 20, 2016 evidentiary hearing are denied.

This case remains set for trial on the two week docket beginning **September 26, 2016**. A **final pretrial hearing** and **hearing** under *Frye* to make a record of any rejected plea offers will be held on **Tuesday, September 20, 2016** **at 1:00 p.m.** in Courtroom 14-South.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 7th day of September, 2016.